

## NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

### NOTICE OF PUBLIC INFORMATION

#### DEPARTMENT OF HEALTH SERVICES

[M13-223]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 3, Department of Health Services - Child Care Group Homes  
**Article and its heading:** 2, Certification  
3, Operating a Child Care Group Home

**2. The public information relating to the listed Section:**

Arizona Revised Statutes (A.R.S.) § 36-897 authorizes the Department to certify and regulate child care group homes in Arizona. The Department has implemented A.R.S. §§ 36-897 *et seq.* in Arizona Administrative Code (A.A.C.) Title 9, Chapter 5. Laws 2012, Ch. 188 (SB 1136) amends, among other statutes, A.R.S. §§ 8-804 and 8-804.01. This change requires the Department of Economic Security (DES) to conduct central registry checks for people who provide direct services to children or vulnerable adults; requires child care licensees that do not contract with the state and who employ persons who provide direct services to children, beginning August 1, 2013, to submit in accordance with statutory requirements the information necessary to conduct Central Registry background checks of such persons, and requires the Department of Health Services (Department) to verify, beginning August 1, 2013, whether child care licensees have complied with the above requirement and any related rules adopted by the Department. Laws 2013, Ch. 151 (HB 2529) further amends A.R.S. § 8-804 to permit an agency of the state to provide information contained in the central registry on all reports of child abuse and neglect that are substantiated and the outcomes of the investigations of such reports to carry out the provisions of the statute, within specified limitations.

The Department is adopting rules requiring certificate holders of child care group homes to comply with the requirements in A.R.S. §§ 8-804 and 8-804.01, and to maintain records verifying compliance.

Laws 2012, Ch. 188, § 9 provides an exemption from the requirements in A.R.S. Title 41, Chapter 6, for this rulemaking. This Notice of Public Information provides notice that the Department expects to file the amended rules on or before August 1, 2013.

**3. The name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:**

Name: Cara Christ, M.D., Assistant Director  
Address: Arizona Department of Health Services  
Division of Licensing Services  
150 N. 18th Ave., Suite 510  
Phoenix, AZ 85007  
Telephone: (602) 364-3064  
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E-mail: Cara.Christ@azdhs.gov  
or  
Name: Thomas Salow, Manager  
Address: Arizona Department of Health Services  
Office of Administrative Counsel and Rules  
1740 W. Adams, Suite 203  
Phoenix, AZ 85007  
Telephone: (602) 542-1020  
Fax: (602) 364-1150  
E-mail: Thomas.Salow@azdhs.gov

**4. The website where persons may obtain information about the rulemaking:**

[http://azdhs.gov/diro/admin\\_rules/child\\_care.html](http://azdhs.gov/diro/admin_rules/child_care.html)

Notices of Public Information

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF HEALTH SERVICES

[M13-224]

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 5, Department of Health Services - Child Care Facilities  
**Article and its heading:** 2, Facility Licensure  
4, Facility Staff

2. **The public information relating to the listed Section:**

Arizona Revised Statutes (A.R.S.) § 36-882 authorizes the Department to license and regulate child care facilities in Arizona. The Department has implemented A.R.S. §§ 36-881 *et seq.* in Arizona Administrative Code (A.A.C.) Title 9, Chapter 5. Laws 2012, Ch. 188 (SB 1136) amends, among other statutes, A.R.S. §§ 8-804 and 8-804.01. This change requires the Department of Economic Security (DES) to conduct central registry checks for people who provide direct services to children or vulnerable adults; requires child care licensees that do not contract with the state and who employ persons who provide direct services to children, beginning August 1, 2013, to submit in accordance with statutory requirements the information necessary to conduct Central Registry background checks of such persons, and requires the Department of Health Services (Department) to verify, beginning August 1, 2013, whether child care licensees have complied with the above requirement and any related rules adopted by the Department. Laws 2013, Ch. 151 (HB 2529) further amends A.R.S. § 8-804 to permit an agency of the state to provide information contained in the central registry on all reports of child abuse and neglect that are substantiated and the outcomes of the investigations of such reports to carry out the provisions of the statute, within specified limitations.

The Department is adopting rules requiring licensees of child care facilities to comply with the requirements in A.R.S. §§ 8-804 and 8-804.01, and to maintain records verifying compliance.

Laws 2012, Ch. 188, § 9 provides an exemption from the requirements in A.R.S. Title 41, Chapter 6, for this rulemaking. This Notice of Public Information provides notice that the Department expects to file the amended rules on or before August 1, 2013.

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